

Preliminary Land Use Service (PLUS)
Comprehensive Plan Amendments and Municipal Ordinances

Delaware State Planning Coordination
540 S. DuPont Highway • Dover, DE 19901 • Phone: 302-739-3090 • Fax: 302-739-6958

Name of Municipality: Town of Cheswold	
Address: P.O. Box 220 Cheswold, DE 19936	Contact Person: Peter Diakos
	Phone Number: 302-734-6991
	Fax Number: 302-734-1355
	E-mail Address: cheswoldoffice@comcast.net

Date of Most Recently Certified Comprehensive Plan: October, 2003

Application Type:

Comprehensive Plan Amendment: _____ **XXX** _____

Ordinance: _____

Other: _____

Comprehensive Plan Amendment or Municipal Ordinance to be prepared by: Davis Bowen & Friedel, Inc.	
Address: 23 North Walnut Street Milford, Delaware 19963	Contact Person: Elizabeth Brown, AICP or Janet M. Lardner GIS Specialist
	Phone Number: 302.424.1441
	Fax Number: Fax Number: 302.424.0430
	E-mail Address: keb@dbfinc.com OR jml@dbfinc.com

Maps Prepared by: Davis Bowen & Friedel, Inc. Milford Office	
Address: 23 North Walnut Street Milford, Delaware 19963	Contact Person: Janet Lardner, GIS Specialist
	Phone Number: 302.424.1441
	Fax Number: 302.424.0430
	E-mail Address: jml@dbfinc.com

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Please describe the submission:

The Town of Cheswold is proposing an amendment to their 2003 Comprehensive Plan due to a rise in growth, residential and commercial development. The Town is also responding to an opportunity to participate in locating a new school site for the Capital School District.

The proposed annexation area is to the west and to the south of Town and is located within the State Strategies Investment Levels 1, 2 and/or 3.

A chapter will be added to the 2003 Comprehensive Plan which will indicate the changes to the projected land uses, population, and other elements to be affected by the amendment.

Attachments: Chapter 4 for inclusion to the 2003 Comprehensive Plan and a map.

CHAPTER 4. 2006 AMENDMENT TO THE COMPREHENSIVE PLAN

4.1. Introduction

In 2001, the Town of Cheswold, working with the Institute for Public Administration at the University of Delaware, began a planning process that produced the first adopted and certified Comprehensive Plan in October 2003. While the Plan was done, the planning process continued with the appointment of a citizen Zoning Commission. This group, with the guidance of planners from consulting firms and the Delaware Office of State Planning Coordination (OSPC), produced a new Land Use Ordinance and official zoning district map. A moratorium was put in place to facilitate the development and transition to the new ordinance. The zoning ordinance was adopted in 2005. In July 2005 that Town convened a permanent Planning Commission, as provided for in the Ordinance.

At the same time, the Town moved forward with expansion of its staff, with both in-house management and consulting engineers and planners, to support the new ordinance as well as assure that the Town's growth would benefit all its citizens with improved services and facilities.

In December 2004, the Town noted in its annual report to the OSPC that amendment to the Annexation Plan element was anticipated in the near future. In June 2005, the Town submitted a request to the OSPC for a Livable Delaware Assistance to Municipalities and Counties Grant for that purpose. The Town proposed to amend its certified Comprehensive Plan with regards to annexations and land use. The amendment is presented here, as a new chapter and updated maps, to be appended to the original document. When adopted, the amendment will not change the certification date of the original Plan, nor will it mitigate any reporting requirements for the Town under Delaware Title 22 §702(e).

4.2 Community Overview

Since Plan certification, that Town has approved two new residential developments within the pre-plan Town limits and has annexed acreage for residential use in conformance with the 2003 Plan. Commercial and light industrial projects are moving into the Central Delaware Business Park. Annexations currently under review include new commercial uses for abandoned commercial property in the County. Existing businesses are expanding. The new growth is summarized below:

Table 1 Growth and Annexation under the 2003 Comprehensive Plan

Year	Town Area (acres)	Estimated ⁽¹⁾ Population	Percent Change
2000		313	
2003		368	17.6%
2006		493	34.0%

1. 2000 population base is per US Census 2000, and housing build out to TYD 2006.

As a result of the continued strong economic growth and steady demand for housing in Kent County, the Town of Cheswold has begun to experience some of the desired changes in its demographics, as envisioned in the 2003 Plan. Property assessments are rising with the addition of new housing units. Job opportunities are being added with new enterprises being proposed for annexed properties and

within the Business Park. New residents are providing both revenues and additional community support for parks, improved town facilities and schools. Environmental awareness remains strong.

The stated overall Town goals (see Chapter 1, page 11) remain valid and are reinforced with this amendment. In particular this amendment hopes to forward two goals:

- Increase the amount of parkland and open space available to residents, and
- Manage the use of selected properties adjacent to the Town and increase the Town's areas and tax base.

4.3 Land Use and Annexation

Significant public participation and polling was used to develop the overall community vision and goals of the 2003 Plan. This amendment supports the goal of a mainly residential community associated with one of Delaware's characteristic "small town." Desirable land uses that compliment residential neighborhoods and the community at large include retail commercial geared toward the homeowners, as well as schools, community centers, recreational and other open spaces that are convenient to neighborhoods.

Industrial and Commercial Areas

No new industrial areas are proposed for the Town. Under the 2003 Plan, a new zoning ordinance was produced which differentiates between light and heavy industrial uses, and locates these uses appropriately within the existing Town area. Land areas are available for future growth of these uses. New businesses are opening in the Town.

This amendment adds new opportunities to attract and develop retail commercial uses to serve the Town's residents. Parcels that are enclaves between US Route 13 and the Town are included in the amendment. While most of the parcels are developed, many have additional space for expansion or re-development.

Neighborhoods and Community Design

The Land Use Ordinance adopted in 2005 provides guidance regarding the maintenance of existing residences, appropriate sign use, lighting and other elements that can enhance or detract from a community. Of note was the addition of a special residential district – R1 Old Town - that recognizes the oldest neighborhoods at the center of the Town, where lots are smaller than often permitted under today's standards. Rather than create a large collection of legal but non-conforming uses, the district recognizes and protects the sites where Cheswold began.

The goal of adding new parks or other community facilities to the Town is still a challenge. With renewed interest in annexation of large undeveloped parcels, opportunities to direct community designs to include interconnections and accessible park areas can be acted upon.

Under the Land Use Ordinance, new development must include public sewer and water connection. The areas being considered for annexation under this amendment is included in a service territory held by Tidewater Utilities, Inc., and can be served. Extension of service to large new developments

provides opportunities for other existing homes and businesses to tie into the system, if they desire, at the time of system expansion. In this manner, fire protection can be expanded to greater portions of the Town.

Coordination of Development

The Town has been presented with a unique opportunity to participate in a coordinated approach to development that will permit new lands and tax base into the Town and procure lands for construction of a new school for the local school district. The transfer of school district lands would be contingent on annexation into the Town.

Transportation Planning

Transportation issues identified during the development of the 2003 Plan continue to be a challenge for Cheswold, Kent County and the state. The goals of inclusion into a public transit network and better provision for heavy vehicle traffic remain. However, as Cheswold's population grows and matures the Town's voice in regional transportation planning will likewise grow.

At the same time, the Town intends to apply the Land Use Plan and the Land Use Ordinance as intended to add sidewalks, interconnected neighborhoods and retail areas that allow residents to limit trips, choose transportation alternatives and to live near their work.

4.4 Implementation

The Town of Cheswold is located with the Kent County Growth Zone, and as the County continues its own implementation of a growth management, the environs of the Town of Cheswold remain a location significant development. When the development occurs within the County, the Town can not take an active roll in promoting interconnections that reduce traffic congestion at community entrances, cannot require public-oriented open space and cannot leverage the attraction of being in the Town with the Town's needs for school locations or preservation of woodlots and groundwater protection areas.

With addition of new large properties to the Annexation Plan, the Town can specifically continue to implement the 2003 Plan through:

- Effective use of the Land Use Ordinance's various buffer requirements, parking, active open space, tree preservation and other regulations.
- Refining the Land Use Ordinance, specifically through consideration of an overlay for cluster development or mixed use developments,
- Adding to the Ordinance an overlay zone for the protection of wellhead protections areas and excellent recharge areas,
- Continued development of the Town's processes, procedures, and fee schedules in conjunction with staff training and development.
- Concurrent zoning with annexations in conformance with the Land Use Plan and the Land Use Ordinance requirements.
- Continued contractual agreements and intergovernmental coordination with Kent County and the City of Dover, regarding building inspection, tax assessments, wastewater and trash collections.

- Develop a priority list of public facilities, such as schools, expanded postal office or public safety facilities that can be made available to property owners and the public to facilitate cooperative efforts to meet the anticipated needs.
- Develop a financial plan that will support future staff requirements in public safety, public works and at Town Hall.

The following table includes a listing of new parcels that are included in the Annexation Amendment.

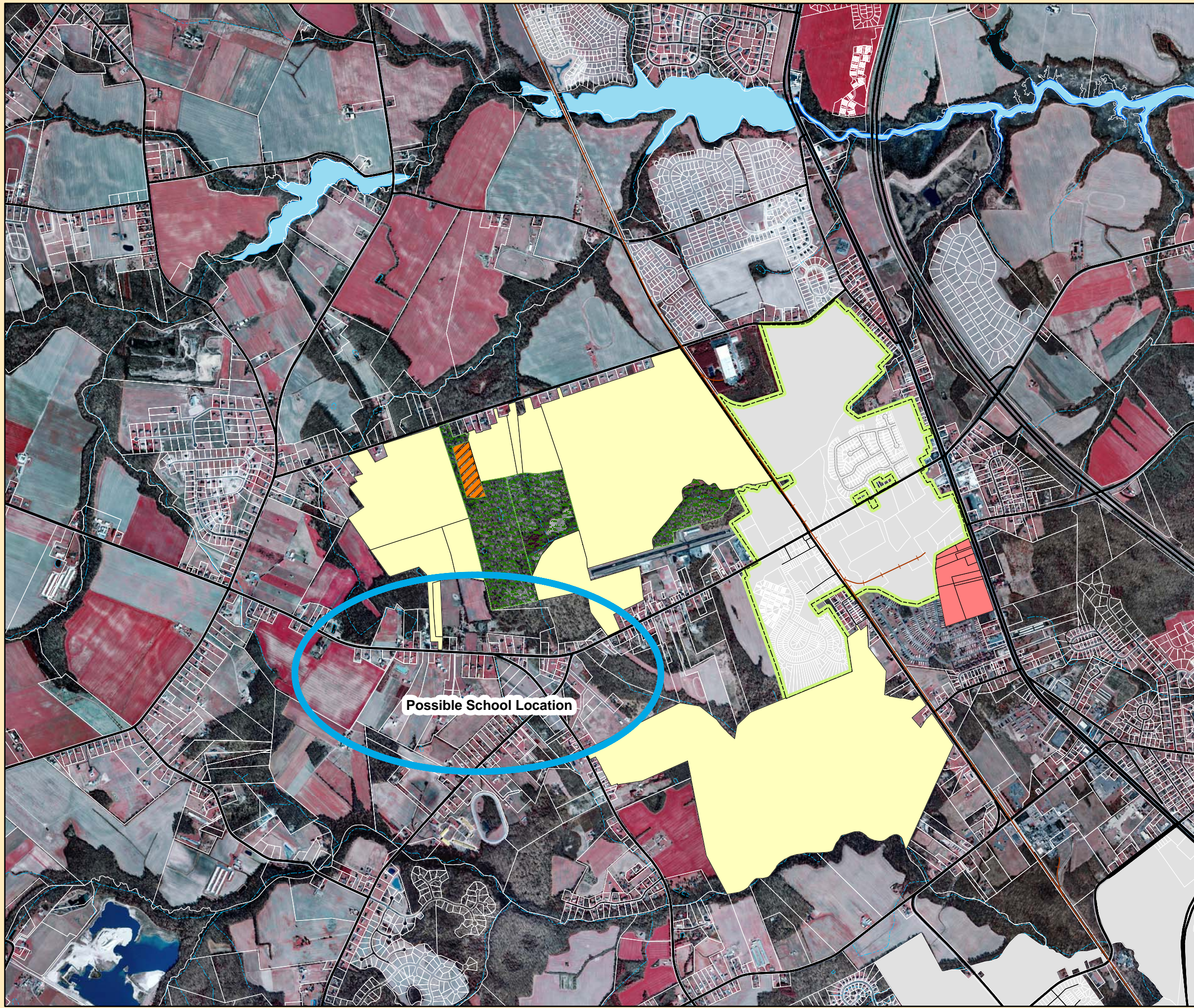
Table 2 Parcels for inclusion in 2006 Amendment to the Cheswold Comprehensive Plan

Sector	Kent Tax Parcel	Area (acres)	Existing Land Use	County Zoning	Desired Land Use/Comments
South	KH00-056.00-01-12.00	447.2	Row Crops		Residential with Accessory Uses
	<i>Subtotal</i>	447.2			
East	LC00-046.00-01-29.00	1.1	Commercial		Commercial
East	LC00-046.00-01-29.05	1.2	Commercial		Commercial
East	LC00-046.00-01-30.00	2.1	Commercial		Commercial
East	LC00-046.00-01-31.00	1.1	Commercial		Commercial
East	LC00-046.00-01-32.00	0.9	Commercial		Commercial
East	LC00-046.00-01-33.00	6.6	Commercial		Commercial
East	LC00-046.00-01-33.01	2.0	Commercial		Commercial
East	LC00-046.00-01-33.02	0.8	Commercial		Commercial
East	LC00-046.00-02-02.00	10.3	Commercial		Commercial
East	LC00-046.00-02-02.03	7.6	Commercial		Commercial
	<i>Subtotal</i>	33.7			
Northwest	KH00-046.00-01-03.00	10.0	Old landfill - Capped		Permanently Restricted and Buffered
	<i>Subtotal</i>				

Table 2 continued

Sector	Kent Tax Parcel	Area (acres)	Existing Land Use	County Zoning	Desired Land Use/Comments
Northwest	KH00-045.00-01-64.00	98.2	Row Crops		Residential
Northwest	KH00-046.00-01-03.01	21.8	Row Crops		Residential
Northwest	KH00-046.00-01-03.02	273.3	Row Crops		Residential
Northwest	KH00-046.00-01-03.03	5.8	Row Crops		Residential
Northwest	KH00-046.00-01-03.26	22.3	Row Crops		Residential
Northwest	KH00-046.00-01-12.00	52.3	Row Crops		Residential
Northwest	KH00-046.00-01-13.01	31.9	Row Crops		Residential
Northwest	KH00-046.00-01-13.02	4.3	Row Crops		Residential
Northwest	KH00-046.00-01-13.03	15.8	Row Crops		Residential
	Subtotal	525.9			
Northwest	KH00-046.00-01-03.04	64.3	Wooded		Publicly accessible open space, preserved wood lot or other public use
Northwest	KH00-046.00-01-07.00	24.8	Wooded		Publicly accessible open space, preserved woodlot or other public use
Northwest	KH00-046.00-01-12.00	44.1	Wooded		Publicly accessible open space, preserved woodlot or other public use
TOTAL Amendment Area		1,150 acres			

PLUS COMMENTS AND RESPONSES HERE



The Town of Cheswold COMPREHENSIVE PLAN






Adopted Oct 2003

DRAFT FOR PLUS
March 2006

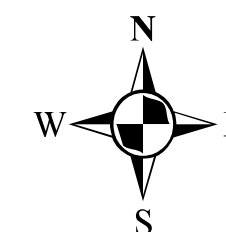
Legend

 Town Boundary

Proposed Land Uses

-  Residential
-  Commercial
-  MIX
-  Public or Preserved Spaces
-  Permanently Restricted

2,000 1,000 0 2,000 4,000
Feet



Map 1. Aerial View

dbf DAVIS, BOWEN & FRIEDEL, INC.
ARCHITECTS, ENGINEERS & SURVEYORS
SALISBURY, MARYLAND 21801 243-9091
MILFORD, DELAWARE (302) 424-1442